

BUILDING CODES

TOWN OF NOTTINGHAM, NEW HAMPSHIRE (as authorized under New Hampshire Revised Statutes Annotated 1983, Chapter 672-677 inclusive and amendments thereto).

I. ACTS UNLAWFUL

It shall be unlawful to erect, construct, alter, enlarge, reconstruct or change the use of any building or structure without first consulting the Nottingham Building Inspector and obtaining a Building Permit if required.

II. PERMIT NOT TO ISSUE, INJUNCTION: PENALTIES

- A. The Building Inspector shall not issue a Building Permit unless the provisions of the Zoning Ordinance, as most recently amended, Building Code as most recently amended, and the *International Code Council's Building, Fire, Plumbing, Energy, Residential Codes*, as most recently amended and as established by the *International Code Council* and Code Administrators International, Inc. have been complied with. **(Amended 3/8/05)**
- B. Any building erected, constructed, altered, enlarged, reconstructed or changed in use without a Building Permit shall be deemed an unlawful structure and the Selectmen charged with enforcement, may bring an action to enjoin such erection in the Superior Court of the county in which the building is located.
- C. Any person who violates the provisions of this Article shall be guilty of a misdemeanor.

III. APPLICATION, NONCOMPLYING WITH ZONING ORDINANCE AND BUILDING CODE

The Building Inspector and applicant may submit a noncomplying Building Permit Application to the Nottingham Planning Board for consideration of approval or disapproval. If the Planning Board cannot take action because it is beyond their scope of responsibility, the applicant should then apply to the Board of Adjustment.

IV. MINIMUM BUILDING AREA FOR NEW RESIDENTIAL CONSTRUCTION

- A. Transient Quarters - commercial tourist courts and motels shall provide each rental unit with a minimum of one hundred and fifty (150') square feet of floor space.

V. FOUNDATIONS

All structures that require a Building Permit shall be set on solid foundations or slabs properly insulated for energy conservation and shall be connected and anchored to their foundations. Foundations shall be of concrete, brick, stone, or other acceptable masonry with frost walls around perimeter. Nonhabitable structures may be put on piers. Footings

are required for all structures and shall be below frost levels.

VI. SETBACKS

All structures shall be fifty (50') feet from all property lines, except where otherwise required in this Building Code or in the Zoning Ordinance.

Commercial ventures such as transient quarters, retail establishments, business offices, filling stations, theaters, halls, clubs, and amusement centers shall be located not less than one hundred (100') feet from all boundary lines. Existing buildings excepted.

Industrial structures shall be located at least one hundred and fifty (150') feet from the front property line and not less than one hundred (100') feet from each side and rear boundary.

VII. SEWAGE DISPOSAL

- A. Single Family Dwelling - requires a private sewage disposal system. The type, size and construction must fulfill the needs of maximum occupancy of the dwelling and meet the State of New Hampshire Specifications, as set forth in RSA Chapter 147, 148, and 149 as amended.
- B. Transient Quarters, Multi-family Structures and Condominiums - require a private sewage disposal system. The type, size and construction must fulfill the needs when maximum occupancy occurs and meet the State of New Hampshire Specifications as set forth in RSA Chapter 147, 148, and 149 as amended.
- C. Industrial and Commercial Buildings - require a private disposal system. The type, size and construction must be commensurate with the peak disposal needs of the facility and meet all applicable State of New Hampshire Specifications as set forth in RSA Chapters 147, 148, and 149 as amended and all Hazardous Waste Restrictions.
- D. Before expanding any structure, increasing the number of dwelling units, or occupying any existing structure on a year round basis, so as to increase the load on a sewage disposal system, an application for the approval of the system must be filed with Water Supply and Pollution Control Division of the Department of Environmental Services. The application must show that either the existing system or the design for a new system meet the requirements of the Division for the intended use. RSA 485-A:38.

Before offering for sale any developed waterfront property using a sewage disposal system, the property owner must, at his/her expense, engage a licensed sewage disposal system designer to perform a site assessment study to determine if the site meets the current standards established by the Division of Water Supply and Pollution Control. The assessment must become a part of the listing agreement before the property may be offered for sale (RSA 485-A:39)

VIII. EXTERIOR WALLS

All frame dwellings shall have a minimum of one-half inch sheathing. Exterior walls shall be constructed of material commonly used for outside construction.

Building Height - maximum building height shall be thirty-four (34') feet measured from grade.

IX. SUBROOFING

Shall be constructed of material that is a minimum of one-half inch in thickness.

X. INSULATION

Shall comply with the Code for Energy Conservation under New Hampshire Revised Statutes Annotated 1979, Chapter 155-D (SB 177). All manufactured housing shall meet U.S. Housing and Urban Development Codes (HUD codes).

XI. ELECTRICAL WIRING AND FIXTURES

Shall comply with the Code for Energy Conservation under New Hampshire Revised Statutes Annotated 1979, Chapter 155-D (SB 177). All manufactured housing shall meet U.S. Housing and Urban Development Codes (HUD codes).

XII. HEATING AND AIR CONDITIONING

Shall comply with the Code for Energy Conservation under New Hampshire Revised Statutes Annotated 1979, Chapter 155-D (SB 177). All manufactured housing shall meet U.S. Housing and Urban Development Codes (HUD codes).

XIII. HOT WATER SYSTEMS

Shall comply with the Code for Energy Conservation under New Hampshire Revised Statutes Annotated 1979, Chapter 155-D (SB 177).

XIV. WOODSTOVES

A woodstove should be installed at least three (3') feet from any combustible wall, window, or siding. The stove should stand on a protective mat of asbestos, metal clad asbestos, concrete or brick that extends eighteen (18") inches beyond the stove in all directions. (No combustible materials should be placed on this mat). If a free-standing woodstove is connected to the fireplace, it should be located a minimum of two (2') feet from the face of the fireplace.

Horizontal lengths of uninsulated stove pipe should be used in open areas no closer than eighteen (18") inches from the ceiling and not be over seventy-five (75%) percent of the vertical portion of the stove pipe.

24-24 gauge single wall stove pipe should be used in open areas no closer than eighteen (18") inches from a combustible partition (sheetrock is a combustible material). Pipes that go through walls, closets, attics, or boxed-in areas must be U.L. or similar listed insulated stove pipe. Another acceptable method is a metal thimble and a metal shield with a diameter seven (7") inches larger than the thimble.

Millboard asbestos may be used as a shield on combustible walls. The millboard asbestos sheet is mounted on 1.5 inch spacers to allow air circulation between the shield and the wall (cement board asbestos should not be used because it is a conductor).

XV. CHIMNEYS

Chimney footings shall rest on natural undisturbed ground below frost level. (Exception would be U.L. listed chimney system). Additional loads shall not be supported by chimneys unless they are specially designed and constructed to support the additional load.

Chimneys shall extend at least three (3') feet above the highest point where they pass a roof of a building and at least two (2') feet higher than any portion of a building within ten (10') feet.

Masonry chimneys shall be constructed of solid masonry units or reinforced concrete with walls not less than four (4") inches in thickness. Masonry chimneys shall be lined with fireclay flu liners not less than 5/8 inch in thickness or with other approved liner that will resist without cracking or softening a temperature of 1880 degrees Fahrenheit. No combustible materials shall be placed or used within two (2") inches of a chimney below the roof.

XVI. AMENDMENTS

This ordinance may be amended by a majority vote of any legal Town meeting when the amendment or amendments have been presented to the voters as required by New Hampshire Laws, RSA, Chapter 675:2,3, as amended.

XVII. ENFORCEMENT

Upon any well-founded information that this Ordinance is being violated, the Selectmen shall, on their own initiative, take immediate steps to enforce the provisions of this ordinance by seeing and injunction in the Superior Court or by any other appropriate legal action. Whoever violates any of the provisions of the above regulation shall be punished upon conviction, by a fine not exceeding one hundred (\$100.00) dollars for each day that such violation is found by a court to continue after the conviction date or

after the date on which the violator receives written notice from the Board of Selectmen that he is in violation of such regulations, whichever date is earlier.

VIII. SAVING CLAUSE

The invalidity of any provision of this ordinance shall not affect the validity of any other provision.

XIX. EFFECTIVE DATE

This ordinance shall take effect upon its passage.